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8 *Attorneys for Plaintiff/Counter-defendant The Bank of New York Mellon fka The Bank of New*  
9 *York, as trustee for the Certificateholders of CWABS Inc., Asset-Backed Certificates, Series*  
10 *2007-10*

11 **UNITED STATES DISTRICT COURT**

12 **FOR THE DISTRICT OF NEVADA**

13 THE BANK OF NEW YORK MELLON FKA  
14 THE BANK OF NEW YORK, AS TRUSTEE  
15 FOR THE CERTIFICATEHOLDERS OF  
16 CWABS INC., ASSET-BACKED  
17 CERTIFICATES, SERIES 2007-10, a national  
18 bank,

19 Plaintiff,

20 vs.

21 MONACO LANDSCAPE MAINTENANCE  
22 ASSOCIATION, INC., a Nevada corporation;  
23 SATICOY BAY LLC, SERIES 8326  
24 STERLING HARBOR, a Nevada limited  
25 liability company,

26 Defendants.

27 SATICOY BAY LLC, SERIES 8326  
28 STERLING HARBOR,

Counterclaimant,

vs.

THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK, AS TRUSTEE  
FOR THE CERTIFICATEHOLDERS OF  
CWABS INC., ASSET-BACKED  
CERTIFICATES, SERIES 2007-10,

Counter-defendant.

**CASE NO.: 2:17-CV-02061-JAD-DJA**

**STIPULATION AND ORDER OF  
DISMISSAL**

ECF No. 53

1 Plaintiff/Counterdefendant THE BANK OF NEW YORK MELLON FKA THE BANK  
2 OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC.,  
3 ASSET-BACKED CERTIFICATES, SERIES 2007-10 (hereinafter “BNYM” or “Plaintiff”), by  
4 and through its attorney of record J. Stephen Dolembro, Esq. of ZBS LAW, LLP, and  
5 Defendant/Counterclaimant SATICOY BAY LLC, SERIES 8326 STERLING HARBOR  
6 (“SATICOY BAY”), by and through its attorneys of record, Chet A. Glover, Esq. of Roger P.  
7 Croteau & Associates, hereby stipulate and agree as follows:

8 IT IS HEREBY STIPULATED AND AGREED that BNYM is the beneficiary of record  
9 under a Deed of Trust recorded against real property located at 8326 Sterling Harbor Court, Las  
10 Vegas Nevada, 89117 (APN No. 163-09-313-035) (the “Property”) in the Clark County  
11 Recorder’s Office on May 21, 2007 (“Official Records”) as Book and Instrument No. 20070521-  
12 0003176 (the “Deed of Trust”), securing a loan in the original amount of \$344,000.00.

13 IT IS HEREBY STIPULATED AND AGREED that SATICOY BAY took title to the  
14 Property by way of a non-judicial foreclosure sale conducted by the Monaco Landscape  
15 Maintenance Association, Inc. on February 5, 2015, evidenced by a foreclosure deed recorded in  
16 the Official Records on February 12, 2015 as Book and Instrument No. 20150212-0002523.

17 IT IS HEREBY STIPULATED AND AGREED that the Deed of Trust remains a valid  
18 and enforceable lien on the Property that may be foreclosed upon pursuant to Nevada law.

19 IT IS HEREBY STIPULATED AND AGREED that as a result of the above, SATICOY  
20 BAY will in no way interfere with BNYM’s foreclosure under the Deed of Trust, including but  
21 not limited to, agreeing not to seek a restraining order or injunction to prevent or BNYM’s  
22 foreclosure or seek any other judicial or non-judicial relief to prevent or delay BNYM’s  
23 foreclosure.

24 IT IS HEREBY STIPULATED AND AGREED that Defendant SATICOY BAY is  
25 hereby dismissed WITH PREJUDICE, each party to bear its own fees and costs.

26 IT IS HEREBY STIPULATED AND AGREED that Defendant SATICOY BAY’s  
27 counterclaims are hereby dismissed WITH PREJUDICE, each party to bear its own fees and  
28 costs.

1 IT IS HEREBY STIPULATED AND AGREED that Defendants other than SATICOY  
2 BAY have been previously dismissed from this action and all claims herein have been fully and  
3 finally resolved.

4 IT IS SO STIPULATED AND AGREED.

5 Dated this 4th day of September, 2020.

6  
7 ZBS LAW, LLP

ROGER P. CROTEAU & ASSOCIATES

8  
9 /s/J. Stephen Dolembro, Esq.

/s/Chet A. Glover, Esq.

10 J. Stephen Dolembro, Esq.

Chet A. Glover, Esq.

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14 *Mellon fka The Bank of New York, as trustee*  
*for the Certificateholders of CWABS Inc.,*  
*Asset-Backed Certificates, Series 2007-10*

*Attorneys for Defendant Saticoy Bay LLC,*  
*Series 8326 Sterling Harbor*

16  
17  
18 **Case No.: 2:17-cv-02061-JAD-DJA**

19 **ORDER OF DISMISSAL**

20 On this day the court considered the joint stipulation of dismissal submitted by Plaintiff  
21 The Bank of New York Mellon fka The Bank of New York, as trustee for the Certificateholders  
22 of CWABS Inc., Asset-Backed Certificates, Series 2007-10 ("BNYM"), and Defendant Saticoy  
23 Bay LLC, Series 8326 Sterling Harbor and found that the parties' request has merit and should  
24 be **GRANTED**. It is therefore,

25 **ORDERED, ADJUDGED, and DECREED** all claims asserted by the parties, or that  
26 could have been asserted by the parties in this case are hereby dismissed with prejudice.

27 **IT IS FURTHER ORDERED** that all costs are to be borne by the party incurring same.

